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## Federal Agencies Disapprove Oregon Coastal Nonpoint Pollution Program

### Poor Logging Practices Cause Agencies to Disapprove Oregon Coastal NonPoint Pollution Program.

Oregon's coastal nonpoint pollution program was disapproved by federal agencies today based on the state's poor logging practices, as a result of a 2009 lawsuit brought by Northwest Environmental Advocates. In a **decision** that federal law required the agencies to make nearly two decades ago, EPA and NOAA slammed the state's failure to protect water quality and fish from logging practices in the face of studies—many conducted by Oregon itself—that have consistently demonstrated that logging violates water quality standards and fails to protect fish and wildlife.

Following is the text of a [news release](#) issued today:

Responding to a lawsuit filed by environmentalists in 2009, today two federal agencies disapproved the State of Oregon's coastal pollution control program as inadequate to protect water quality. The agencies—the U.S. Environmental Protection Agency (EPA) and National Oceanic and Atmospheric Administration (NOAA)—have said for the last 17 years that Oregon's logging practices create dangerous levels of water pollution and harm fish.



The first-in-the-nation disapproval comes under the Coastal Zone Act Reauthorization Amendments (CZARA), a law Congress passed to persuade coastal states to control so-called nonpoint source pollution—the run-off from logging, farming, grazing, and urban development that is not restricted by the Clean Water Act. CZARA required the two federal agencies to approve Oregon's coastal pollution control program by 1996 or to begin withholding 30 percent of federal grant funds from the state.

Nina Bell, Executive Director of Northwest Environmental Advocates (NWEA), the organization that brought the lawsuit, said that the decision was 19 years overdue. "Congress was very specific in its insistence that the power of the federal purse be brought to bear on states that refused to control coastal water pollution by 1996. That didn't stop the federal agencies from simply thumbing their noses at the lawmakers, and letting Oregon continue to degrade coastal watersheds," she said. "Now the question is whether Oregon will do the right thing."

Oregon is the only state to have had its coastal pollution control program disapproved of the 34 states covered under the program. The federal agencies' primary concern is Oregon's inadequate logging practices, specifically its failure to protect small and medium-sized streams, to control pollution from some logging roads, to protect streams from landslides, and fish from pesticides applied for logging. Agriculture is an additional water quality concerns.

"The blame for this shameful disapproval can be squarely laid at the doorstep of Oregon's forest practices law, the agencies and boards that do nothing to improve forest practices, and the logging industry that maintains a tight political grip on this state," said Bell. "But as for who, honestly, can turn this around, well it rests almost entirely with the Governor."

The NWEA lawsuit was settled in September 2010 and was based on Oregon's agreement that it would conduct a pilot project in the MidCoast Basin to demonstrate that it both could and would control logging runoff. The agreement also required the federal agencies to make a final up-or-down decision on Oregon's program by May 2014. However, the Oregon Department of Environmental Quality (DEQ) repudiated the agreement, leading to the federal agencies' proposed disapproval in 2013 and delaying a final decision to January 2015.

"Despite Oregonians' strong desire to protect water quality, the state has logging practices that are absolutely at the bottom of the barrel and are a complete failure," said Bell. "We have tried every way possible to convince the state to come into this century and they have simply refused. It's really embarrassing how backward Oregon is when it comes to protecting water quality and the iconic salmon of our region."

Oregon stands to lose \$1.3 million the first year of its disapproval, with continuing reductions to DEQ each year thereafter. The state obtains approximately \$4 million in federal grants to DEQ and the Department of Land Conservation and Development each year, through two federal statutes: the Clean Water Act and the Coastal Zone Management Act. Oregon received nearly \$50 million in funding between 1998 and 2008.

The 24-page decision document is available [here](#) and for detail background click [here](#).

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